UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI NORTHERN DIVISION

| KRISTIN M. SMITH, and |) |
|------------------------------|---------------------------|
| LLOYD SMITH, |) |
| Plaintiffs, |) |
| |) Case No. 2:16-cv-24-CEJ |
| vs. |) |
| TOYOTA MOTOR CORP., and | <i>)</i>) |
| TOYOTA MOTOR SALES U.S.A., I | NC.,) |
| Defendants. |) |

PLAINTIFFS' MOTION TO STRIKE TOYOTA MOTOR CORPORATION'S AFFIRMATIVE DEFENSES, OR IN THE ALTERNATIVE FOR A MORE DEFINITE STATEMENT

Pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, Plaintiffs respectfully move this Court for an order striking Defendant Toyota Motor Corporation's (TMC) affirmative defenses set forth in paragraphs 15 through 27 of Defendant TMC's Answer to Plaintiffs' Complaint (Doc. #5), or in the alternative, requiring Defendant to provide a more definite statement of those affirmative defenses Pursuant to Rule 12(e) of the Federal Rules of Civil Procedure. A Memorandum in support of this motion is submitted herewith.

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CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send e-mail notification of such filing to the following:

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